

RECEIVED
MAR 31 1983

WATER RIGHTS

A special meeting was called of the Burnt Fork Birch Creek - Beaver Creek Henry's Fork Water Districts by Water Commissioner Steve Wilkinson and State of Utah and State of Wyoming to discuss water rights. Meeting held on July 12, 1982 at the McKinnon Schoolhouse at 6:00 p.m. in McKinnon, Wyo. Those present were:

	<u>Representing</u>
Jon C. Wilde	Self
Bob Gamble	Self
Milton Beck	Self
Earl Hanks	Self
Mark Anderson	Self
R. Williams	Olsens
J. Alden Olsen	Self
Larry and Judy Bohlen, Sr.	L.G.A.
Larry O'Neil	Self
Velma O'Neil	Self
Darrel Eyre	Lyman Grazing Assn.
Sylvester Phillips	Lyman Grazing Assn.
Don Stoll	Self
Theron Wilde	Self
Don Norseth	Div. Water Rights
Marvin Bollschweiller	Wyo. Hydrographer Comm.

Minutes of the last special meeting were called to be read by Sec. Jon Wilde and minutes were approved as read by motion made by Velma O'Neil and seconded by Earl Hanks. All were in favor. Meeting was chaired by Burntfork-Birch Creek Chairman Robert Gamble.

Utah State Engineer Donald Norseth explained about storage rights of Hoops Lake and Island Lake. Hoops Lake may store water from Jan 1 to Dec 31 of each year, except for the water out of East Fork of Beaver Creek and Thompson Creek which can be stored until May 15, of each year. Then if all the water rights are filled on Burntfork, Thompson Creek can be stored until water is needed in Burntfork to fill the rights. There are no high water double rights for storage in Hoops Lake. Wyo. has a high water double ditch right. After May 15, East Fork Beaver Creek has to run its natural stream flow. Island Lake can store water from October 1 of one year to March 31 inclusive of the year following. Island Lake cannot store natural stream flow during irrigation season. Earl Hanks asked about water rights in the amount of 79.55 CFS 1926 priority of Interstate Canal Co. 50.00 CFS of natural flow from Burntfork may be diverted to Interstate when their priority of 1926 comes into effect. 29.55 sec. ft of natural flow from Lost Creek is diverted into Beaver Meadows Reservoir. Lost Creek, having no natural stream channel into Burntfork Creek, cannot yield water as a tributary to Burntfork. All water that is not stored in Beaver Meadows Reservoir is lost in a hole in the mountain and is not known where it comes up if it does. M. Norseth said water from Lost Creek has no effect to water users on Burntfork except Interstate Irrigation and Reservoir Co.

Marvin Bollschweiller, Engineer state of Wyo., suggested combining some of the ditches on the Beaver Creeks to save costs of headgates and measuring flums installation. He said there are a lot of ditches with small water rights in them. He stated installation of their measuring flums is very important that they be level. Correct installation of both headgates and measuring flums is critical because of frost movement. They should be checked periodically. He said orders are going out now to all water users who are in violation of headgate and measuring flums and anyone who does not comply will have no water forthcoming in the 1983 season. Mr. Norseth explained Utah's position on headgate and measuring flums. Anyone who has an interest and water right in any said ditch will pay these proportional share of headgate and measuring flum installation fees and also any maintenance on the ditch. If anyone is unwilling to pay their share, the State of Utah has the right, if it is adjudicated water, to hold or shut their water off until payment has been made. Marvin Bollschweiller

mentioned a case of Gregory Basin ditch - the headgate being in Utah and water irrigating Wyo. land. The State of Wyo. could not make them put in headgate and measuring flum. Mr. Norseth said he would make a note of this and see that all interested parties get the orders to install what is needed at the head of that ditch.

Mr. Norseth said everyone should be very interested in their measuring flums and the correct installation of each. In case a water user wants to sell or transfer water, the state will go back on past year's portions flums readings to justify water amounts.

Water Comm. Steve Wilkinson handed out a notice with Burntfork's water rights on it. He went over these water rights and explained them. He said there needs to be a headgate very badly or some diversion at the forks in Burntfork to regulate the water. Don Stoll said he was concerned also about the fork's diversion. Also he mentioned about the many percolating springs on Burntfork and how the creek loses its water when high water is gone. Mr. Bollschweiler said if the water users try to altar or change the creek channel, the environmentalists would have a big part to say about it. We should all try to get along.

Water Commissioner said he had a list of repairs to be made to headgate or flums or replacement of such:

Burntfork:

Headgates to be installed:

1. Wyman - wood is old, not tight.
2. Gillis - wood is old, not tight.
3. Preemption - wood is old, not tight.

Measuring flumes to be repaired

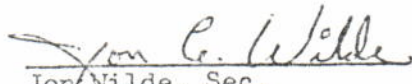
1. Gillis - water go around.
2. Baldy Spring Ditch - slants upper end low.

Measuring flumes which should be relocated:

1. High line - 300 to 400 yd. below gates.
2. Wyman - questionable maybe okay.

Water user Don Stoll asked about the Birch Creek - Burntfork Distribution System, and how it came to be for Utah water users. He stated that the Committee is very important and they should have a larger part in it's operation. This was discussed by both states. Water being adjudicated in Utah mandates that this meeting be held with its water users. Mr. Norseth asked about combining Birch-Creek Burntfork with the Lonetree system. There were several objections to this at this time.

There being no further business, a motion made by Sylvester Phillips at 12:40 p.m. adjourned the meeting with a second made by Darrel Eyre, all in favor.


Jon Wilde, Sec.